

President of Council
MICHAEL KLINE

Vice President of Council
TANYA TAYLOR DRAPER

Council Clerk
NICHOLAS AIELLO

Council
JULIE A. BELICH
JOE JARMUSZKIEWICZ
DANIEL KNECHT
VICKI MILLER
KATHLEEN SIVO

City of Willoughby Hills

Working Committee of Council and Rules & Legislation

Minutes of April 7, 2025

The Working Committee of Council and Rules & Legislation was called to order on April 7, 2025, at 6:00 p.m. in Council Chambers. **Council President Kline** presided.

Call to Order 6:00 p.m. (0:03)

ROLL CALL (Audio: 0:17)

Members Present: Councilwoman Kathleen Sivo, Council Vice President Tanya Taylor Draper, Councilman Jarmuszkiewicz, Council President Michael Kline, Councilman Dan Knecht, and Councilwoman Vicki Miller

Also Present: Mayor Hallum, Law Director Michael C. Lucas, Finance Director Bruce Scott

Absent: City Engineer DiFranco, and Councilwoman Belich

PRESENTATION ON CELL TOWER STRUCTURAL INTEGRITY FROM * * * JESSIE STYLES FROM NORTHSTYLE TOWERS (Audio: 3:00-23:15)

- **Councilman Jarmuszkiewicz:** You said you are not an engineer. Who designs your towers?
- **Jessie Styles:** We have consulting engineers. It is very standard. Almost no company except the largest publicly traded ones have in house-PE's. It just doesn't make a lot of sense. Additionally, we bid out. Every time we build a tower (we have 22 in construction) every one of them is bid out competitively to different tower manufabricators. It's cheaper and better for trucking and shipping. Monopoles like these could cost around \$100,000. Built into that pricing are their in-house PE's. When we supply them, the geotechnical results, they will generate the tower foundation design. With the scale they do it, it makes no sense to do it in-house unless you are a very large tower company.

- **Councilman Jarmuszkiewicz:** Have there ever been any instances where towers have failed or fallen?
- **Jessie Styles:** During the time of hurricane Andrew, in Homestead, Florida, the cell towers were one of the few things still standing. This is also similar with hurricane Katrina. You will find that these structures are so robustly built and designed by reputable companies that it is exceedingly rare for towers to fail. I have been in the industry for 25 years and am only aware of two failures. One was in Branson, Missouri where an F5 tornado had a direct hit on one. Another was in Detroit, Michigan where a coax cable caught fire. It had nothing to do with the structure or a storm. A coax cable inside the monopole caught fire. The temperature was confined enough that it caused the heating and melting of the metal. I estimate around 100 out of 200,000 towers fail in a 10-year period. They don't fall out of the ground like a toothpick. They have predesigned failure points around the midsection or lower third of the tower where the tower will fold upon itself. It usually fails within the footprint of the leased area or the fenced compound of the tower. With guide tower failures, (the ones with the lights coming off them), frequent problems include aircraft. There was a failure when a life helicopter in Houston hit a guideline and caused a failure. Even with obstruction lighting, you will see the guidelines hit by an aircraft. In cases like this, guidelines may fail catastrophically. They may fall horizontally. Those are generally constructed in very rural areas. The chances of them hitting humans are much less and you don't see them around this type of community.
- **Council Vice President Taylor Draper:** Is there a way to construct it where it will fall a certain way?
- **Jessie Styles:** I do not know. I am not a structural engineer. I have never specifically seen that done. The failure point is meant to be downward. It is fairly rare in wireless sighting. Even if it crimps and falls downward, it is not falling down on anything. It is basically hanging from its midpoint, sagging. It is completely useless, and the site is off air. But it is over that fenced-in area. It is not going to hurt anything other than the tenants on the tower. It would fall within 30 feet of concrete (six feet in diameter). It does not go anywhere, it is held and anchored, and the top would go within that diameter.
- **Council Vice President Taylor Draper:** Has that always been the case or is that just with today's technology?
- **Jessie Styles:** Some really old towers may not have been engineered with that. Back when there were only two cell companies, the towers were not built to handle the load that we currently put on them. That does not mean if you see multiple tenants on a tower it's not safe. My point is that if there is an additional capacity, it was approved not only by professional engineers in the private sector but by the public sector permitting authorities when a second or third tenant went on the tower.
- The tower across the street, for example, and this is purely speculative. Let's say that tower was built in 1990 for GTE only. A couple of years later Ameritech went on to go there. Back then, a lot of cell companies were intentionally precluding their competitors from going on their towers. They had specific agreements with their landowners. In their original lease it says you cannot sublease it to the other competitor in this market. Zoning laws tended to override that much later. Sites that were originally designed for one tenant became forced to

have two or three. Not unsafely. The structural capacity was always reviewed and always approved.

- But, coming back to the point on the failure point, this became more invoked in the 90s when you had eight tenants on some towers. We had more preplanned and predesigned loading. Part of the reason why disused equipment that I suspect is Sprint and Nextel is still up there, is because the structural capacity is so good on that tower that they didn't need to take it down. The capacity is still so good that T-Mobile or whoever is on there has no problem modifying and upgrading their equipment year over year. When the carriers modify their equipment year over year, it almost includes a net increase in weight facing the wind. This is because the antennas are getting bigger and heavier. You will also notice that the amount of equipment down at the base of the tower no longer uses the stone aggregate shelters. They use cabinets on slabs. They look like two refrigerators put together next to each other on a concrete slab. Occasionally, you will still see the old shelters, but they are getting away from those, so the equipment is moving up to the top. What used to be down to the ground is miniaturized and is now up top a lot of times. The weight and wind loading are much greater and modernized on many cell sites, but still, the capacity is so great on most of them, they don't even need to tear down most equipment. If you tried to put Verizon and AT&T on this tower, then yes they would probably have to take down unused stuff, but it would take a really major increase in what was going on there.
- Hurricane Katrina is a good example because of the storm surge and water. A cell tower not working and a cell tower falling down are two very different things. The number one reason for a cell tower failing is fiber (it is called transport in the industry). The two things every cell site needs are power and fiber. When a call is made, it goes through a landline system. Your wireless handset call is only wireless from the handset to the nearest antenna on the network, whether that is on a tower, building, or even a little small cell on a telephone pole. That is the extent of how wireless your usage is. After that you go to the straight landline system.
- When people cannot make phone calls for several hours, it is almost always a fiber problem. So, a tower falling and physically failing is almost never the reason why cell sites are not usable to the customers. When hurricane Katrina happened and there were mass outages, it was because of flooding. Power is reasonably redundant because you can have generators on site. Most of them are tank-based meaning when people use the phones more, they exhaust the fuel very rapidly. If trucks cannot get in to refill the tanks, then the sites stay down and there is nothing they can do. If you have hardline natural gas flowing, the site can stay on generator for a long period of time unless there is a mechanical failure.
- If there is a failure with fiber, it can be a quick remedy because oftentimes, it is a software issue with the fiber provider. Cell companies, on hub sites, will often do what is called a diverse path. There is what I call "diverse path basic" and "diverse path advanced." Basic, for example, could be if they bring in a company such as Comcast and have two lines coming across a parking lot and have a tower behind a building. Say if 10 years later, another building gets put in near and accidentally were to take a line down. There is a whole other line that the traffic automatically switches to. They will not only do that, but they will also source two different vendors. If fiber vendor A has software issues they can switch to the other vendor. This is costly and not done on every site. Carriers recognize that towers

falling is not the cause of their networks going down. Power and transport are the reasons why their sites are going down.

- **Mayor Hallum:** We had a tornado go through Roemisch Field last year and nothing happened to that tower even though we lost a huge tree. My question is, what does 6G look like?
- **Jessie Styles:** That is a great question. Anyone who wants to tell you they know what that looks like or when that will happen is either being dishonest or does not know the industry. The industry does not know what or when 6G looks like. I would generally say you usually see an eight-year iteration or evolution. 1988 was the beginning; this was when 1G launched in the country. I would say 6G is far off. Wireless companies haven't even monetized 5G and they are spending billions of dollars to continue building it out, but they are not making any money on it.
- The other thing is latency, which is the amount of time it takes something to get done when you press the button on your cell phone. Latency has gone way down. We are counting latency as fractions of a second now not actual full, whole seconds. The latency on 6G is going to have to be faster than that of 5G. They have labs where they work on this. They can produce it in a lab but not in the world. A big problem with cell service in Northeast Ohio is deciduous trees. You can build a 40 ft. cell tower in suburban Las Vegas, and it will perform just as great as a 190 ft. monopole here because there are no deciduous trees. 50 percent of the year, we have no leaves which makes network metrics go up noticeably in the Midwest in the wintertime.
- Latency is a problem and that is where small cells come in. I do not think anyone is talking seriously about 6G at any of the cell carriers except maybe the sales department that wants to be the first to say that they offer 6G. Be very cognizant. Whenever you have a generational change from 3G to 4G and so on, your phone will lie to you for the first year or two. It will say the next generation but oftentimes, you do not get that experience. I am not saying that my customers do anything untoward, illegal, or unethical. The associations that regulate these things generally have fairly loose standards at what point you can say that you are putting 5G on the phone compared to what the network experiences the person is actually having. Just because you see 6G on your phone five years from now does not mean you are getting it.
- **Finance Director Scott:** We have talked about monopoles and macros. Are small-cell and macro the same thing?
- **Jessie Styles:** No. A macro is any set of full antennas, regardless of what support structure they are on. So, the antenna on top of the water tank AT&T has, that is a macro. A small cell is very small, almost cannister sized.
- **Finance Director Scott:** So, height becomes an issue? Is the difference essentially the height from a range standpoint?
- **Jessie Styles:** No sir. I caution you to take that view of it because what is really compromised on a small cell compared to a macro is the size and quantity of the antennas, as well as the amount of radio equipment that is strapped to that pole to keep it small. The

radio equipment on small cells are very small in a cube form strapped to the pole. That is the limiter. If you hypothetically put a macro with the full-sized antennas and full-sized ground equipment with three refrigerators next to each other, and put it on a 30ft. wood pole and the small cell on a 30 ft. wood pole with the compromised equipment, you would find that they would propagate very differently and handle different amounts of traffic.

- The height is not the limiting agent, it is the other stuff that is strapped to it that is throttling the capability of the smaller installation. Height is no longer king in this industry. In rural areas, I am building 300 ft. towers all the time. But in more sophisticated ex-urban areas and urban areas, the sites are going way down. If you look at really old towers, you will notice empty spots at the top but no antenna. You will see metal pipes called pipe-mounds. They have gone down over time. 15 years ago, they lowered them to 200 ft. and then a few years ago, to 120 ft. 120 ft. is generally the ideal height for 4G. Cell companies no longer want to be high.
- Farmers will always say this. They will say they are on the highest ground in the county. But sometimes we don't want this because cell companies want lots of medium sized height towers all over the place. They do not want big ones because they see too many big ones in that area now.
- **Councilwoman Miller:** I have a lot going through my mind here regarding the safety of our residents in terms of trying to figure out where we need to put a cell tower that is safe and trying to figure out the best location. Is one cell tower going to be able to cover this all?
- **Jessie Styles:** No, I mentioned to you before I have one in Kirtland behind City Hall and am working on another location on the eastern part of Kirtland right now. I have one up in Mentor and we are in the process of doing a second one in Mentor east of that one. I have another one in Madison going up at the end of the year in the north. We are finding that in communities, one site no longer covers it. We have 172 sites in development right now. The vast majority of our sites are not in town anymore. In a town, they could have had a tower up since 1994. It no longer cuts it because there are too many people trying to access the network. Because the footprints keep shrinking, that tower could have covered everyone in that town reasonably well for 25 years. But now, at the fringes of that town, it is no longer quality service. We are finding that there a lot of places where we are putting in the second or third tower in a small town.
- **Councilwoman Miller:** What is the safety of having more towers near the homes of residents?
- **Jessie Styles:** I used to live around 800 ft. from two cell towers. I had no problem, and I did not own them and got nothing out of them. From a safety perspective, there are a couple things that need to be recognized. The Telecommunications Act of 1996 was a powerful piece of legislation. The Federal Administration of President Clinton at the time determined in their professional assessment, that wireless robust wireless carriers were vital for Americans' public safety. In doing so, they preempted the ability of local zoning boards from utilizing health effects as a determinant for land use decisions. It is very complicated in that regard. I urge people to get their information. The American Cancer Society has a lot of information. I will tell you as a father, I would never want to be in a business that hurts people. I take my kids to cell sites all the time when I am driving around. It is very safe. The

propagation and penetration of buildings is reduced greatly from first generation to now fifth generation. The same thing makes your handset incredibly safe. You are not seeing anecdotal cases of people dying from cancer from phone use anymore. You see people speculate and have fears, but there are no longitudinal studies that draw any direct correlations. I personally have no problems taking my children to cell sites. But I think with anything we always need to be paying attention to what technology is doing and we do not want to have unintended negative consequences. With 6G, it is going to be an even higher frequency and will be even safer than 5G because of the amount of penetration it can do.

- **Mayor Hallum:** The other concern among residents is cell towers negatively impacting their property value. Have there been any studies to indicate in any way that this is true or to what degree it is?
- **Jessie Styles:** I have, in the past, commissioned, in very difficult zoning scenarios, property studies to analyze similar housing profiles to analyze whether in a similar setting a few years back the placement of a cell site caused an impact on property values. It is a very hard thing to quantify because it's almost impossible to find a perfect subset of data that matches the place where you're filing for zoning; so that's a huge challenge.
- But let's just stipulate. When comparing outer-ring suburbs in Ohio, it is hard to find similar growth trajectories. It is hard to find ones with similar costs, and it is hard to find ones with the same amount of property churn to even see whether there is a statistically significant amount of sales happening to make the numbers matter. I can tell you, anecdotally, in today's world with young and middle-aged homebuyers who might be working from home, we see that connectivity is highly important to their home and the prosperity of their household. We are finding people actually prioritize wireless connectivity over having an absolutely pristine viewshed. That may not mean they want to live directly next to one, but post-COVID-19 this is the case with people working from home or working more hybrid hours. Home connectivity is really no longer a luxury. I think it is incumbent on local zoning authorities to be smart and not be fearful to look at things with a very open mind and recognize that they may not want a cell tower on an R1A residential community in a post-war community where the lot sizes are 100 ft. x 150ft. We probably don't want a tower where there is no tree coverage. It does not make sense from a land use perspective. Now, if you get a more ex-urban area, maybe it is a residential zone, but it is a 5-acre parcel surrounded by other 5-acre parcels, maybe there is a buffer or things that you can do to get creative on where you site the tower so that it is not visible. I think it is about being creative and about balancing competing interests. I don't think there is a simple one-size-fits-all answer.
- **Council President Kline:** In the City's chapter of Codified Ordinances, you have a chapter on wireless communication. I would like to read from that. This was passed in 2006. I did some research and it's comparable to a lot of communities around here, and I speculate that each one picked it up from one another.
- **Jessie Styles:** They do, that is correct. With all due respect, I asked your Law Director about that, and it is extremely common.
- **Council President Kline:** This is a comment, and I would like to read it and have you

comment on it. "A buffer area of 200 ft. shall be placed between the wireless telecommunication facilities in the public right away." Do we need 200 ft. for a tower today?

- **Jessie Styles:** I don't think so. I love it when zoning ordinances are that specific and basic because all I have to do is meet the simple standard of 200 ft. off a property line and all the sudden I'm unconditionally permissible. I don't have to meet any threshold of unique review on that property. Basically, what you're saying is as long as I meet this I'm done. as someone who lives here, my advice is to make the code a little more unique. I think having a zoning ordinance that is more based on each project standing on its own view, its own merits, its own unique challenges, and positives is really the way to go. This is especially true because the easy sites are gone in this business (sites along freeways, industrial parks, and farmers' fields). Now we are down to the nitty-gritty stuff, which is the place where nobody wants towers, generally speaking. You have to make a really strong case as to why it's needed and why it should be there, but I think you're zoning jurisdiction and applicants can work together. There is an old saying in business that if two people walk away from a deal dissatisfied it's probably fair and I think that is the same in this case. It's very rare that one side walks away perfectly happy and it's a deal that should've happened. I think we probably need more compromise in citing situations. Does that make sense?
- **Council President Kline:** Yes. The other reoccurring concern with current service is that in times of power failures when all of the communication in the area is down, you would have people (perhaps elderly residents with medical concerns) that may have problems and there is no way to communicate. This is a scenario where we don't have cell service, and all the landlines are down. My question is, for new towers going up, are there backup generators put in as a general rule, or even, ever? Without that, given we have had multiple storms in the City where we have had power out a week at a time, if there is no service at all, then each cell tower is useless during those times. What is the frequency of backup generators being put in?
- **Jessie Styles:** They are not at every site. They are very costly. Some years back, you saw them much more frequently and more evenly distributed on new installations. But, again, cell companies are having a hard time monetizing 5G buildout and they are being much more judicious as to where they put generators. They are putting them up at a percentage basis and they are trying to put them at sites where they may not always have a high capacity where if it went down, a ton of users would be affected. They also tend to put them at other sites that may cover a large geographic area or another site where coverage is not bleeding into it, so that if it went down, a large geographic area would not be without service.
- Another factor that determines what sites have generators are environmental restrictions. If you have a waterway nearby, wetland, or jurisdictional waterway with engineers, all of these are federally recognized undertakings because our tenants are FCC licensed and held to the highest review standards. This means we have to do a full NEPA (National Environmental Policy of 1968) review. We have to pay a third-party environmental consulting firm thousands of dollars before we can put one shovel in the ground. Things that can cause a problem can be Indian artifacts for example. A lot of people do not recognize that you can have a species of plants or fauna that are endangered. You cannot put a diesel generator on

that property because it is considered sensitive. Even though it is a rare situation, there could be a leak, and that in-turn could endanger an endangered species. The environmental restrictions preclude you from putting a generator there. That leaves you the option with natural gas, which is very expensive to have it hard-lined and installed. Yes, it is great when it is in, but it is very hard to make a business case to have this put in. So, the tank-based generators can have restrictions that have nothing to do with the wireless carrier being willing to spend money. That is not us, that is on the tenants of the tower. Everything that is proprietary to them is on them. You could, I suppose, mandate, in your Zoning Ordinance, that any new macro installation in the City limited to Willoughby Hills shall have a generator. I don't know if that has been litigated, but I suspect that you could probably get away with that.

- Council President: I would like to open up public portion just for this topic.

PUBLIC PORTION: (Audio 1:09:10)

An opportunity for the public to address Council with any comments, issues, or concerns.

- Public Portion opened at 7:09 p.m.
- **Don Akins Dodd's Hill:** For you, in the here and now, what is the ordinance in Mentor in relation to what we are stuck with here?
- Public Portion closed at 7:09 p.m.
- **Jessie Styles:** I do not have Mentor's ordinance in front of me and I see hundreds in a year so I do not want to get into a game of trying to remember the specifics of their ordinance. In Mentor, they have what is called in land-use law, hierarchical zoning. In Mentor, they require you to exhaust city owned property before you consider filing on lease land on non-municipally owned. When it is on municipal land, the restrictions on setbacks and more are fairly relaxed, but the City's review and decision to allow you to go on that property is weighed very heavily. It was exceptionally difficult to get my lease with the City of Mentor with that property. My barriers to getting that site put up were much more with the challenges and the sophistication of the City of Mentor and the review process for the ground lease than it was for stringent requirements on the setbacks or other development standards in the land use zoning code itself. Does that answer your question?
- **Don Akins Dodd's Hill:** Pretty much. We are behind the times here.
- **Jessie Styles:** There was a zoning and building permit granted. For the building permit, the reviewing authority fully reviewed the soils, the foundation design, and the tower design deemed to be utterly safe along the freeway. Having said that, a lot of times cell sites get a ridiculous amount of review that a lot of other vertical infrastructure don't get there's powerlines all along the freeways next to bridges and homes and those were engineered in the 50s. You don't see those falling over all the time and you don't see a lot of people complaining about them. Sometimes we way overthink it compared to other things that already exist.

Motion to go out to bid for road salt.

- **Council President Kline:** This is not a discussion; it is a motion and it is a high priority to get this done.
- **Law Director Lucas:** This is very time-sensitive and requires a motion to be made at the beginning of the legislation itself.

Motion made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Miller** to go out to bid for road salt.

Discussion of Motion:

- **Councilman Jarmuszkiewicz:** Is this for the 2025-2026 year?
- **Mayor Hallum:** It is for the 2025-2026 year for this coming winter.

Roll Call: **AYES:** Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline, Miller
NAYS: None
Vote: 6/0

Motion passed to go out to bid for road salt.

ORDINANCE 2025-012-THIRD READING

AN ORDINANCE AMENDING PART NINE – STREETS, UTILITIES AND PUBLIC SERVICES CODE, TITLE THREE – UTILITIES, CHAPTER 925 – SEWERAGE SYSTEM REGULATIONS, SECTION 925.06 – FEES, SUB-SECTION (C) OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO AND REPEALING ANY AND ALL CONFLICTING LEGISLATION.

- No comments were made.

ORDINANCE 2025-023-FIRST READING

AN ORDINANCE ACCEPTING THE BID OF UNITED SURVEY, INC. OF 25145 BROADWAY AVENUE, OAKWOOD VILLAGE, OHIO, FOR THE CITY'S 2025 SEWER REHABILITATION PROGRAM, AND DECLARING AN EMERGENCY.

- **Councilman Jarmuszkiewicz:** Is this the same company that has been doing our sewer rehabs or is it a different company?
- **Finance Director Scott:** It is the same company that has done it in the past. It is in the budget for this year. We could set aside \$180,000 for this project. Obviously, it is about \$8,000 over budget. We will have good news in the next couple of readings for the next couple of ordinances.

ORDINANCE 2025-024-FIRST READING

AN ORDINANCE ACCEPTING THE BID OF PHILLIPS PAVING, LLC, 17290 MUNN ROAD, CHAGRIN FALLS, OHIO 44023, FOR THE CITY'S 2025 STREET RESURFACING PROJECT, AND DECLARING AN EMERGENCY.

- **Finance Director Scott:** The budget on this one is \$391,000. The bid on this was \$341,000 which is considerably less.
- **Mayor Hallum:** It is in the whereas that they completed 2020, 2021, 2022, and 2024.

ORDINANCE 2025-025-FIRST READING

AN ORDINANCE ACCEPTING THE BID OF JD STRIPING & SERVICES, INC. FOR THE 2025 PAVEMENT MARKINGS PROGRAM AND DECLARING AN EMERGENCY.

- **Mayor Hallum:** They have done these the last three times. This will be their fourth.
- **Finance Director Scott:** This is also coming in under budget by about \$7,200.

ORDINANCE 2025-026-FIRST READING

AN ORDINANCE PLACING A ONE YEAR MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING AND/OR OCCUPANCY PERMIT APPROVALS FOR SMALL BOX DISCOUNT STORES AND THE ISSUANCE OF SUCH APPROVALS IN THE CITY OF WILLOUGHBY HILLS, AND DECLARING AN EMERGENCY.

- **Law Director Lucas:** This is a work in progress. This is to address the definitions in terms of the type of small box discount stores we are looking at. It has been subjected to a lot of scrutiny from other communities in Lake County including Painesville and Mentor-on-the-Lake. We want to take a look at it in light of issues that have recently been raised. The only thing I have noticed is, in terms of all the avenues within the commercial businesses within the City of Willoughby Hills, I would like an adjustment made from 180 days to one year. This would entail the caption itself and the provision in Section 2. This is maximum cap.
- **Mayor Hallum:** I think we need to do several things based on what Vice President Taylor Draper and I discovered in the last several years with the recent retail store. It is possible that this could be done in maybe nine months, but I would rather have it longer and shorten it if we can finish our review rather than not have it long enough and remember to extend it.
- **Council Vice President Taylor Draper:** This Ordinance does not affect commerce at the shoppes correct?
- **Mayor Hallum:** That is correct. I did speak to Ray Somich from Scott Scheels Organization, and they did confirm that this would not negatively impact the work they are doing.

ORDINANCE 2025-027-AMENDED-FIRST READING

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF WILLOUGHBY HILLS TO SIGN ANY AND ALL DOCUMENTS FOR PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION’S (ODOT) ROAD SALT CONTRACTS AWARDED IN 2025 IN ACCORDANCE WITH OHIO REVISED CODE 5513.01(B), AND DECLARING AN EMERGENCY.

- No comments were made.

ORDINANCE 2025-028-FIRST READING

AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS TO SECURE THE PURCHASE OF A 2025 FORD F-450 4 X 4 DRW REGULAR CAB CHASSIS 7.3 LITER GAS FOR THE CITY SERVICE DEPARTMENT FROM CLASSIC FORD OF MADISON FOR THE PURCHASE PRICE NOT TO EXCEED \$74,999.00 AND DECLARING AN EMERGENCY.

- **Mayor Hallum:** As noted in Mr. Grubiss' memo to Council and myself, this is very time sensitive. The offer is only good until May 2. With tariffs going into place, we certainly would not want to pay more than we need, and we ask that you would pass this on first reading.
- **Finance Director Scott:** This should say "7.3 Liter" not "0.73 Liter." This is also under budget by about \$20,000.

RESOLUTION 2025-007-AMENDED-FIRST READING

A RESOLUTION DECLARING THE MONTH OF MAY AS "OLDER AMERICANS MONTH" IN THE CITY OF WILLOUGHBY HILLS.

- **Council President Kline:** There is a Federal recognition of Older Americans Month, which was established back in the 60's when John F. Kennedy was president. We owe this to our State Representative Dan Troy. He is the sponsor that created and established May as Older Ohioan's Month. We decided it was appropriate to have this resolution for Willoughby Hills to support our senior residents. There are a lot we need to recognize seniors for.

PUBLIC PORTION: (Audio 1:25:20)

An opportunity for the public to address Council with any comments, issues, or concerns.

- Public Portion opened at 7:25 p.m.
 - No one spoke.
- Public Portion closed at 7:25 p.m.

LEGISLATION: (Audio 1:25:25)

- **Council President Kline:** Mr. Lucas has stated that we will need to change some of the wording on Ordinance 2025-026. If there are any other corrections, please state them.
- **Mayor Hallum:** Mr. Grubiss mentioned on Ordinance 2025-028, it should say This should say "7.3 Liter" not "0.73 Liter."
- **Council Vice President Taylor Draper:** It seemed we were over the budget for the sewer rehabilitation, but for the street resurfacing and pavement markings, they were lower than it was originally thought. Did this balance out? I want to make sure this did not throw a wrench in the budget.
- **Finance Director Scott:** We are well off. The paving alone is \$50,000 under budget. It is all within service so we can have things around at year end if need be.

- **Mayor Hallum:** And the truck was 20 under.
- **Council Vice President Taylor Draper:** Do we need to wave the Three Reading Rule?
- **Mayor Hallum:** This is preferred so we can get on schedule.

NEW BUSINESS:

- **Council Vice President Taylor Draper:** I spoke with Mr. Lucas and Chief Naegele about this. I have thought about the possibility of creating a large sign that contains a possibility of a fine. This is in regard to the Bishop Road issues with the trucks that are not obeying the rules and laws of the City. It would be an option to do something. If we just let people speed without putting cameras in, they would continue to speed. Sometimes you have to do something to create a response. I am wondering what everyone thinks about this possibility.
- **Council President Kline:** The signs in question would be on the side of the road?
- **Council Vice President Taylor Draper:** Correct.
- **Council President Kline:** If it is allowable, the thought went through my mind for the sign to go up on the frame where the traffic light is. You would see a sign up ahead to give you a warning.
- **Council Vice President Taylor Draper:** I am just looking at it as a way to direct human behavior. We can't stop it, but it is an opportunity to have someone have second thoughts about going that way.
- **Finance Director Scott:** I understand the good intentions and hope of doing something. I am only going to comment on speed cameras. On S.O.M. they have to pass four signs and the last one has flashing lights. Unfortunately, that does not stop them. Although our intentions are to try and detour them, I just wonder if it would actually work. That would be my only concern.
- **Mayor Hallum:** I would echo that, but also my concern is spending money when we don't even know the volume we are talking about. Is it 1 truck a month or is it 500 trucks a month? My guess is the prior. It might be trucks that are lost or made a wrong turn and there is no way for them to easily turn around and they have to continue on and hopefully they remember the next time. I want to caution about creating things when we don't really know the scale of what the issue may be.
- **Council Vice President Taylor Draper:** Were the previous signs removed?
- **Mayor Hallum:** I think they removed the weight sign.
- **Council Vice President Taylor Draper:** Is there a sign there currently?
- **Mayor Hallum:** There are signs still there.
- **Councilwoman Sivo:** It is a white indication sign.
- **Council Vice President Taylor Draper:** Is there anything that tells them they cannot go past this point?

- **Mayor Hallum:** It tells them the weight limit, so they know what the weight limits are. The problem is that we have no way of enforcing it. We have no scales. Even if we pulled them over with the assumption they are overweight, we have no way of proving it. I would love to, if we could come up with something to solve the issue we are having, but it is enforcement that is the issue. We are not going to have an officer sitting there 24/7 to watch for that. Usually, the people that bring it to our attention and report, they are long gone by the time we get there. That is the crux of the issue is being able to catch them and verify what we are enforcing.
- **Council Vice President Taylor Draper:** I guess we just need to keep our eyes on it then. I understand you can't solve every problem in the world. Sometimes when something is face to face with them it will make them think twice about it.
- **Councilman Jarmuszkiewicz:** At a previous meeting, someone mentioned that the last traffic study conducted was when Mayor Weger was present. How does that happen? Who initiates and conducts the survey of the number of cars and types of vehicles traveling the road? Is it the State or the County? Is it the City?
- **Mayor Hallum:** The City can make a request for that and pay for that. We have done some other studies, maybe not on that specific area, but we have done other studies of different roads in the recent past since Mayor Weger.
- **Councilman Jarmuszkiewicz:** With the amount of traffic and volume on that road, how do they actually do the studies? Does someone sit there with a clicker?
- **Mayor Hallum:** ODOT has cameras all over the highway and stuff readily available, so we don't have to do anything other than request the information that they have already recorded.
- **Councilman Jarmuszkiewicz:** Do you know how many trucks use Bishop Road?
- **Mayor Hallum:** I wouldn't be able to tell you that.
- **Councilman Jarmuszkiewicz:** I am trying to figure out how much volume is on that road. With all the development in Highland heights and businesses, it may be four times bigger of a concern than it was before. Who can we talk to about finding information like this?
- **Mayor Hallum:** I can talk to the engineer and see how much it would cost for us to do this. What are you looking to accomplish, just so I can understand?
- **Councilman Jarmuszkiewicz:** I would like to know this as well. Are people making this up? Are they exaggerating or is this a true concern?
- **Mayor Hallum:** I do not know if these traffic studies can tell you the types of cars or if they can just tell you how many. It may be fruitless for what we are trying to accomplish. I will ask and get back you. You all see the little tubes that go along the roadway. That is a traffic study. All that it is doing is, I believe, is count how many cars go over that. I don't believe it tells you the type of vehicle.
- **Council Vice President Taylor Draper:** What that be the information needed to determine if a traffic light was needed there?
- **Mayor Hallum:** I believe that is one of the criteria that they utilize.

- **Council Vice President Taylor Draper:** I don't want to make a big deal, I just don't want to dismiss the resident's concerns about it because I believe there are some types of things that go on there that make people feel unsafe. I want to make sure that we look into it a little and put energy into addressing it.
- **Mayor Hallum:** I want to make sure that if we are going to do something, the energy is put in the right spot.
- **Council Vice President Taylor Draper:** I agree. We don't have money to throw all over the place. Those are my concerns. Thank you.

ADJOURNMENT: (Audio 1:36:40)

- **Motion made by Councilwoman Miller, seconded by Councilman Jarmuszkiewicz** to adjourn the April 7, 2025 Working Committee of Council and Rules & Legislation.

Roll Call: AYES: Sivo, Taylor Draper, Jarmuszkiewicz, Kline, Knecht, Miller
NAYS: None
Vote: 6/0

The meeting was adjourned the meeting at 7:37 p.m.

APPROVED: APRIL 24, 2025
 Date


 Michael Kline
 President of Council

ATTEST: Nicholas Aiello
 Nicholas Aiello
 Clerk of Council